## PD-1124-19 COURT OF APPEALS CAUSE NO. 03-15-00332-CR

FILED

COURT OF CRIMINAL APPEALS

4/22/2020

THE COURT OF CRIMINAL APPEAL SPEANA WILLIAMSON, CLERK

# TO THE COURT OF CRIMINAL APPEALSDEANA WILLIAMSON, CLERK OF THE STATE OF TEXAS

\_\_\_\_\_

TERRI REGINA LANG

**Appellant** 

v.

STATE OF TEXAS

Appellee

Appeal from Burnet County

\_\_\_\_\_

### MOTION TO WITHDRAW AND NOTICE OF SUBSTITION OF COUNSEL

\_\_\_\_\_

Justin Bradford Smith Texas Bar No. 24072348 Harrell, Stoebner, & Russell, P.C. 2106 Bird Creek Drive Temple, Texas 76502

Phone: 254-771-1855 Fax: 254-771-2082

Email: justin@templelawoffice.com

E. Alan Bennett Texas Bar No. 02140700 Sheehy, Lovelace & Mayfield, P.C. 510 N. Valley Mills Dr., Ste. 500 Waco, Texas 76710

Telephone: (254) 772-8022 Telecopier: (254) 772-9297 Email: abennett@slm.law

ATTORNEYS FOR APPELLANT

TO THE HONORABLE COURT OF APPEALS:

In accordance with Rule 6.5 of the Texas Rules of Appellate Procedure,

Appellant's counsel, Justin Bradford Smith, moves to withdraw from representing

Ms. Lang because he has accepted employment with the Bell County District

Attorney's office. The trial court has appointed Alan Bennett to represent Ms. Lang

in Mr. Smith's stead. See Exhibit A. The information required by Rule 6.5(d) is

contained in Mr. Bennett's signature block below. In compliance with Rule 6.5(b),

Appellant's counsel is delivering a copy of this motion to Ms. Lang by first-class

and certified mail to her last known address, as evidenced by her inclusion on the

certificate of service below.

Respectfully submitted:

/s/ Justin Bradford Smith

**Justin Bradford Smith** 

Texas Bar No. 24072348

Harrell, Stoebner, & Russell, P.C.

2106 Bird Creek Drive

Temple, Texas 76502

Phone: 254-771-1855

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/s/ Alan Bennett

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### ATTORNEYS FOR APPELLANT

### **CERTIFICATE OF SERVICE**

I hereby certify that, on April 21, 2020, a true and correct copy of the Motion to Withdraw and Notice of Substitution of Counsel is being or will be provided to the following by email and/or eservice and/or mail:

Terri Regina Lang P.O. Box 2502 Grants Pass, Oregon 97528 VIA FIRST-CLASS MAIL AND CM-RRR

Blake Ewing Burnet County Assistant District Attorney 1701 East Polk Street, Suite 24 Burnet, Texas 78611

Telephone: 512-756-5449

Fax: 512-756-8572

Email: <u>asstda3@burnetcountytexas.org</u> bewing@burnetcountytexas.org

Attorneys for State of Texas

Stacey M. Soule State Prosecuting Attorney P.O. Box 13046 Austin, Texas 78711-3046

Phone: 512-463-1660 Fax: 512-463-5724

Email: information@spa.texas.gov

Attorneys for the State

/s/ Justin Bradford Smith
Justin Bradford Smith

# **EXHIBIT A**

### Cause No. 42185

| STATE OF TEXAS Plaintiff §     | 424th JUDICIAL DISTRICT COURT |
|--------------------------------|-------------------------------|
| VS.                            | OF                            |
| TERRI REGINA LANG Defendant  § | BURNET COUNTY, TEXAS          |

### ORDER SUBSTITUTING APPELLATE COUNSEL

It is hereby ORDERED that Justin Bradford Smith, Texas Bar No. 24072348, of Harrell, Stoebner, & Russell, P.C. is removed as appellate counsel for Terri Regina Lang and the following attorney is appointed in his place:

E. Alan Bennett
Texas Bar No. 02140700
Sheehy, Lovelace & Mayfield, P.C.
510 N. Valley Mills Dr., Ste. 500
Waco, Texas 76710

Telephone: (254) 772-8022 Telecopier: (254) 772-9297 Email: abennett@slm.law

Signed on April 2, 2020

Presiding Judge

### **Automated Certificate of eService**

This automated certificate of service was created by the efiling system. The filer served this document via email generated by the efiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Justin Smith Bar No. 24072348 justin@templelawoffice.com Envelope ID: 42437746 Status as of 04/22/2020 08:51:51 AM -05:00

#### **Case Contacts**

| Name          | BarNumber | Email                         | TimestampSubmitted    | Status |
|---------------|-----------|-------------------------------|-----------------------|--------|
| Blake Ewing   |           | asstda3@burnetcountytexas.org | 4/21/2020 10:09:19 AM | SENT   |
| R. BlakeEwing |           | bewing@burnetcountytexas.org  | 4/21/2020 10:09:19 AM | SENT   |
| Alan Bennett  |           | ABennett@slm.law              | 4/21/2020 10:09:19 AM | SENT   |

Associated Case Party: State Prosecuting Attorney

| Name         | BarNumber | Email                     | TimestampSubmitted    | Status |
|--------------|-----------|---------------------------|-----------------------|--------|
| Stacey Soule |           | information@spa.texas.gov | 4/21/2020 10:09:19 AM | SENT   |